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10/099,874	03/15/2002	Merle Leland Green	LUC-322/Green 1-1-1-2-32	5365
32205	7590	10/03/2003	EXAMINER	
PATTI & BRILL ONE NORTH LASALLE STREET 44TH FLOOR CHICAGO, IL 60602			SING, SIMON P	
			ART UNIT	PAPER NUMBER
			2645	

DATE MAILED: 10/03/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/099,874

Applicant(s)

GREEN ET AL.

Examiner

Simon Sing

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 07/07/2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1-9, 11 and 12 are rejected under 35 U.S.C. 102(b) as being anticipated by Porter US 5,963,618.

1.1 Regarding claim 1, Porter discloses a voice processing system in figure 5. Porter teaches using a voicemail system component [voice processing unit 520] to invite a caller to leave a voicemail message (column 11, lines 12-19) and storing the voicemail message on a storage device [mailbox of voicemail system 542] through an Internet (column 11, lines 47-67).

1.2 Regarding claim 2, Porter teaches that the voicemail system component 520 employs an address to store the voicemail message in a mailbox (column 11, lines 39-43).

1.3 Regarding claim 3, Porter teaches that a voice mailbox corresponds to the voice message is located [stored] on one of the storage devices [VM 542, 544 and 546] (column 11, lines 47-67).

1.4 Regarding claim 4, Porter teaches a plurality of VM 542-546 for storing voice messages, and each VM is a file server (able to store or retrieve a voice data file). Porter also teaches using separate voicemail system components 520 (column 14, lines 33-42), wherein a first voicemail system component 520 is able to store or access a first voicemail message on a VM, and a second voicemail system component 520 is able to store or access a second voicemail message on another VM.

1.5 Regarding claim 5, Porter teaches that though the voicemail system component 520, a user is able to retrieve the voicemail message through Internet (column 14, lines 33-42). It is inherent that once the voicemail message is accessed, it can be forwarded or deleted.

1.6 Regarding claim 6, Porter teaches that the voicemail system component 520 has a database for each subscriber, wherein each data base has a pointer [mailbox number or voice mail address] (column 11, lines 39-43, Table 1).

1.7 Regarding claim 7, Porter teaches that the voicemail system component 520 [first mailbox] has a database for each subscriber, wherein each database has a mailbox address for each subscriber on VM 542-546 (column 11, lines 39-43, Table 1). Porter further teaches using multiple separate voicemail system component 520 (column 14, lines 33-47).

1.8 Regarding claim 8, Porter teaches that the voicemail system component 520 has a database for each subscriber, wherein each data base has a pointer [mailbox number or voice mail address] (column 11, lines 39-43, Table 1) and a subscriber may access his voice messages through the voicemail system component 520 (column 14, lines 33-47).

1.9 Regarding claim 9, Porter teaches that the voicemail system component 520 has a database which comprises link lists to mailboxes in VM 542-546 (column 11, lines 39-43, Table 1).

1.10 Regarding claim 11, Porter teaches that the database [data links] in the voicemail system 520 comprises addresses for mailboxes on VM 542-546 for each subscriber [voicemail system components] (column 11, lines 47-67).

1.11 Regarding claim 12, it is inherent that a subscriber can delete a voice message from his voice mailbox.

2. Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by O'Donovan et al. US 6,396,908.

O'Donovan discloses a message transfer system in figure 1. O'Donovan's system comprising voicemail system component 16, to store a voicemail messages on a depository 26 (column 6, lines 32-44, 61-67; column 7, lines 1-7). The voicemail system component 16 and the depository are coupled through Internet 40 (Figure 1).

3. Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by Porter US 6,282,270.

Porter discloses a world wide web voicemail system in figure 3. Porter's system comprises a voicemail system component [WWW CLIENT 310] for retrieving a voicemail message from a storage device [VOICE DB 390] through Internet (Figure 3; Abstract; column 5, lines 26-37; column 6, 20-32).

4. Claims 14-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Weare et al. US 5,909,483.

4.1 Regarding claim 14 and 16, Weare discloses a remote voice mail migration system in figures 1-3. Weare teaches moving contents of a mailbox to another mailbox, which includes copying voicemail address from mailbox A (on voicemail system A) to mailbox B (on voicemail system B) to move an association with a user from mailbox A on voicemail system A to voicemail system B (column 4, lines 27-46; column 5, lines 1-67; Figure 6).

4.2 Regarding claim 15 and 17, Weare teaches a migration function for copying changing a correspondence of a voicemail message from mailbox A to mailbox B (column 4, lines 21-26; Figure 6).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Porter US 5,963,618 in view of Finnigan US 6,181,780.

Porter teaches using a database to access a voicemail message in a depository through Internet, but fails to teach that the database includes an encryption key.

However, Finnigan discloses a telephonic voice message store and forward system and method in figure 1, Finnigan teaches using privacy device to encrypt a voice message (column 6, lines 6-11).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Porter's reference with the teaching of Finnigan so that a voicemail message would have been encrypted and the database would have comprised a encryption key for encryption and de-encryption the voicemail message, because such a modification would have enhanced security and privacy of the voicemail message.

6. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over O'Donovan et al. US 6,396,908 in view of Arumainayagam et al. US 5,659,599.

O'Donovan teaches recording a voicemail message in a first mailbox and forwarding the voicemail message to a second mailbox [depository] through Internet, but fails to specifically teach that forwarding includes copying an address of the voicemail to from the first mailbox to the second mailbox.

However, Arumainayagam discloses a voice mail network and networking method in figures 1-3. Arumainayagam teaches receiving a voicemail message in a



remote voicemail system (column 4, lines 43-53), forwarding the voicemail message to a local voicemail system (column 5, lines 7-22). Arumainayagam also teaches coping the address header information [sender's name and telephone number, recipient's name and telephone number] of the voicemail message to the local voicemail system (column 5, lines 18-22).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify O'Donovan's reference with the teaching of Arumainayagam so that an address of a voicemail message would have been copied from a first mailbox to a second mailbox, because such a modification would have kept a recipient of the second mailbox informed of the address of the sender of the voicemail message.

### ***Response to Arguments***

#### **7.1. 35 U.S.C. §112 rejection:**

Examiner does not have a 35 U.S.C. §112 rejection on record. If there is one mistakenly inserted by the Examiner, Examiner apologizes for this mistake and officially withdraw the 35 U.S.C. §112 rejection.

#### **7.2. Claim rejections:**

##### **7.2.1 Independent claim 1:**

Applicant's arguments file on 07/07/2003 for claim 1 have been fully considered but they are not persuasive.

The applicants use a simple alternative "or" in claims 1-17. As an example, Examiner interprets claim 1 (same interpretation applied to other claims) as:

An apparatus, comprising:

a (one) voicemail system component that employs an Internet protocol network to store [or retrieve] a (one) voice mail message on a (one) storage device, wherein the voice mail system component is coupled with the storage device through the Internet protocol network.

Prior art Porter (5,963,618), O'Donovan and Porter (6,282,270) read on claim 1.

#### 7.2.2 Independent claim 14 and 16:

Applicant's arguments with respect to claims 14 and 16 have been considered but are moot in view of the new ground(s) of rejection.

### **Conclusion**

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Simon Sing whose telephone number is (703) 305-3221. The examiner can normally be reached on Monday - Friday from 8:30 AM to 5:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang, can be reached at (703) 305-4895. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9314.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4750.



S.S.

09/17/2003

FAN TSANG  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600

